

Notice of Allowability

Applicati n No.

09/454,333

Examiner

William H. Mayo III

Applicant(s)

SCHILSON ET AL.

Art Unit

2831

-- The MAILING DATE of this c mmunication appears on th cover sheet with the corresp ndence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to April 22, 2004.
2. ☒ The allowed claim(s) is/are 1-30 and 80-84.
3. ☒ The drawings filed on 20 December 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) f each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

William H. Mayo III
Primary Examiner
Art Unit: 2831

DETAILED ACTION

Withdrawal of Finality

1. Based on Applicant's argument's submitted in the Appeal's Brief dated April 22, 2004, the finality of that action dated July 24, 2003 is withdrawn.

Terminal Disclaimer

2. The terminal disclaimer filed on June 25, 2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of patent number 6,222,131 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

3. Claims 1-30 and 81-84 are allowed.
4. The following is an examiner's statement of reasons for allowance: This invention deals with a flat electrical cable comprising an upper insulator layer; a lower insulator layer connected to the upper layer along substantially continuous parallel spaced seams; and an intermediate layer comprised of individual seams of conductors which lie adjacent and substantially parallel to the seams, wherein the conductors do not have an adhesive residue thereon, wherein the seams positioned between adjacent conductors have a textured surface pattern, and wherein the seams positioned along edges of the flat electrical cable have a substantially smooth surface pattern (claim 1). This invention

also deal with a flat electrical cable comprising an upper layer of polyester having a ribbed surface; a lower layer of polyester connected to the upper layer along substantially continuous parallel space apart ultrasonically bonded seams; and individual strands of copper conductors lying substantially parallel and adjacent to the seams between the upper and lower layers, wherein the seams positioned between adjacent conductors have a textured surface pattern, and wherein the seams positioned along edges of the flat electrical cable have a substantially smooth surface pattern (claim 18). This invention also deals with a flat electrical cable comprising: an upper layer of polyester having a ribbed surface; a lower layer of polyester connected to the upper layer along substantially continuous parallel space apart ultrasonically bonded seam and individual strands of copper conductors lying substantially parallel and adjacent to the seams between the upper and lower layers, wherein the seams positioned between adjacent conductors have a textured surface pattern, wherein the seams positioned along edges of the flat electrical cable have a first zone and a second zone, and wherein the first zone is adjacent to one conductor of the conductors and extends substantially parallel to the one conductor, and the first zone having a knurled textured surface pattern, and where the second zone is located between the first zone and one edge of the edges, and the second zone having a smooth textured surface patterns (claim 21). This invention also deals with a flat cable comprising an upper insulator layer; a lower insulator layer connected to the upper insulator layer along substantially continuous parallel spaced apart seams; and an intermediate layer comprised of groups which lie adjacent and substantially parallel to the seams, and

wherein the conductor group do not have an adhesive residue thereon (claim 22). This invention also deals with a flat electrical cable comprising: an upper insulator layer; a lower insulator layer connected to the upper layer along substantially continuous parallel spaced apart seams; and an intermediate layer comprised of individual strands of conductors which lie adjacent and substantially parallel to the seams, and the conductors do not have an adhesive residue thereon, wherein the seams positioned between adjacent conductors have a first textured surface pattern, and wherein the seams positioned along edges of the flat electrical cable have a second surface pattern, and wherein a surface roughness of the first textured surface pattern is greater than a surface roughness of the second textured surface pattern (claim 30). The above stated claim limitations, in combination with other claim limitations, is not taught or suggested by prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

5. Applicant's arguments filed April 22, 2004 have been fully considered and they are persuasive. Specifically, applicant's argument that Hara does not have a cable with seams positioned between adjacent conductors that have a textured surface pattern but rather discloses a cable with an intermediate layer of conductors disposed between two

layers of tape (col. 1, lines 61-68) and seams with only smooth surfaces as indicated by the shade lines in Fig. 3, is persuasive and therefore the claims have been allowed.

Communication

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (571)-272-1978. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WHM-III

William H. Mayo III
Primary Examiner
Art Unit 2831

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June 25, 2004